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16 *Attorneys for Plaintiff* MEDIATEK INC.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 OAKLAND DIVISION

20 MEDIATEK INC.

21 Plaintiff,

22 v.

23 FREESCALE SEMICONDUCTOR, INC.

24 Defendant.

Civil Action No. 4:11-cv-05341 (YGR)

25 **DECLARATION OF**
MH SHIEH IN SUPPORT OF
FREESCALE SEMICONDUCTOR
INC.'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL

26 **DEMAND FOR JURY TRIAL**

1 I, MH Shieh, declare as follows:

2 1. I am an employee of MediaTek Inc. (“MediaTek”), plaintiff in the above-
3 captioned matter. My current job title is Special Assistant to the General Manager. I submit this
4 declaration in support of Freescale Semiconductor Inc.’s (“Freescale”) Stipulated Administrative
5 Motion to File Documents Under Seal (“Administrative Motion”) (Dkt. No. 403) pursuant to
6 Local Rules 7-11 and 79-5. I have personal knowledge of the facts set forth in this declaration
7 and, if called to testify as a witness, could and would do so competently.

8 2. Freescale’s Administrative Motion seeks to have filed under seal confidential,
9 unredacted versions of Exhibits 1, 10, 35, 38, and 40 to the Declaration of Joshua A. Hartman In
10 Support of Freescale’s Opposition to MediaTek’s Motions *in Limine*. (Dkt. No. 404-1.)
11 Hartman Exhibits 1, 10, 35, 38, and 40 contain excerpts of MediaTek’s damages expert report
12 (Lawton Report) including information regarding the development of a product that has yet to be
13 released and documents concerning MediaTek’s acquisition of the patents-in-suit, including the
14 purchase and sale agreements.

15 3. MediaTek does not publicly disclose information concerning the development of
16 its products, particularly those products that have yet to be released. Instead, MediaTek protects
17 this information as a trade secret, and takes steps to ensure that this information remains
18 confidential, including marking the information included in Hartman Exhibit 1 (excerpts from
19 the Lawton Report) as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” when
20 MediaTek produced this information in this action. If this information were publicly disclosed,
21 MediaTek’s competitors could use the information in Hartman Exhibit 1 to MediaTek’s
22 economic disadvantage by designing their own competing processors to target similar product
23 markets and customers. Therefore, the requested relief is necessary to protect MediaTek from
24 such competitive harm.

25 4. MediaTek does not publicly disclose information concerning its patent
26 acquisitions. Instead, MediaTek protects this information as a trade secret, and takes steps to
27 ensure that this information remains confidential, including marking the information included in
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Hartman Exhibits 10, 35, 38, and 40 as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” when MediaTek produced this information in this action. If this information were publicly disclosed, MediaTek’s competitors could use the information in Freescale’s Corrected Motion to MediaTek’s economic disadvantage by tailoring their negotiation strategies regarding intellectual property transfers and licensing to exploit MediaTek’s practices. Therefore, the requested relief is necessary to protect MediaTek from such competitive harm.

5. The requested relief is narrowly tailored to protect the confidentiality of this information. Only those portions of Hartman Exhibits 1, 20, 35, 38, and 40 that describe the development of the yet-to-be-released MediaTek processor and MediaTek’s practices regarding patent acquisitions and licensing are covered by Freescale’s Administrative Motion.

6. I understand that Freescale’s Administrative Motion was filed on January 29, 2014 and that the Court’s rules require MediaTek to file a supporting declaration within four days or by February 3, 2014. Due to the national Chinese New Year holiday, MediaTek’s offices in Taiwan were closed from January 30, 2014 through February 4, 2014. I was therefore not aware of the need for this declaration until after I returned to work from the holiday.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: February 5, 2014

Meng-Hann Shieh

MH Shieh